

# Exhibit B

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

ALICIA SMITH, CAROLINA BOURQUE,  
EMMA BURKEY, CHRISTOPHER CODY  
FLINT, MICHELLE ZIMMERMAN, PhD,  
ERIN RHODES, JESSICA KROGMEIER,  
LORIN JEPPSEN, and REACT19, INC.,

*Plaintiffs,*

-vs.-

UNITED STATES OF AMERICA, UNITED  
STATES HEALTH RESOURCES AND  
SERVICES ADMINISTRATION, UNITED  
STATES DEPARTMENT OF HEALTH AND  
HUMAN SERVICES, and JOHN DOES 1-3,

*Defendants.*

Case No. 3:23-cv-01425

Judge Elizabeth E. Foote

Magistrate Kayla D. McClusky

**DECLARATION OF PLAINTIFF MICHELLE ZIMMERMAN, PhD**

I, Michelle Zimmerman, PhD, declare and state as follows:

1. I am over the age of 18 and submit this declaration based on my personal knowledge. If called to testify, I will testify to the matters listed below.
2. I am one of the Plaintiffs in the above-referenced matter. On March 14, 2021, I received the Jansen J&J (“J&J”) COVID-19 vaccine 15 days after the emergency use authorization was granted.<sup>1</sup>

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<sup>1</sup> The FDA issued a letter and press release on February 27, 2021. See <https://www.fda.gov/news-events/press-announcements/fda-issues-emergency-use-authorization-third-covid-19-vaccine>.

3. I received the vaccine for multiple reasons: to comply with President Biden's authorization for frontline education workers in K-12 schools to obtain a first dose of the COVID-19 vaccine by the end of March 2021, to allow me to remain in a teaching position, and to set a good example for students and those who were hesitant to get vaccinated with a new product.

4. Before I received the shot, I stood up for the FDA, the CDC, and our state and local public health departments. When people told me that I would be "experimented on" and left "harmed" with "no help" after receiving the vaccine, I responded that such things may have happened in the past, but we have advanced as a society and there must be ethical safeguards in place now. I thought such things could not be allowed to happen in 2021.

5. When I arrived at the mass vaccination site in King County, Washington, I informed the public health employees that I had suffered a severe adverse reaction to the DTP vaccine as a child. When I asked about any known neurological risks, the public health employees told me that there were no adverse reactions, not even anaphylaxis, for the J&J COVID-19 vaccine.

6. I was in good health before getting vaccinated on March 14, 2021. I worked full-time as a STEM educator in Renton, Washington and was a book author, commissioned by General Motors and the International Society for Technology in Education on Artificial Intelligence in Education. I had a meeting scheduled with the education advisor to Washington Governor Jay Inslee the week of my injection and was in the top running for the Global Teacher Prize.

7. I was also physically active and, during my last day of work before the injection, was teaching dance to children outdoors during physical education. I loved my life. I had a full life where I was highly active, even throughout the pandemic.

8. Moments after receiving the COVID-19 vaccine, I experienced shooting pain down my injection arm and wrist, and up to my left ear. Within 20 minutes of the injection, I experienced

tongue and throat swelling (anaphylaxis), which was recorded as an adverse event by healthcare officials at the King County, Washington mass vaccination site. Because those administering the vaccine failed to follow requirements for administering a vaccine under emergency use authorization and did not send me to get medical treatment, my condition worsened. I have since experienced irreversible brain and vision damage.

9. My life has changed forever because of the COVID-19 vaccine. I went from being a book author published in five languages and a researcher, to having just a second grade reading level and first percentile in cognitive testing. During the past two years, I have also needed speech therapy, physical therapy, vestibular therapy, and vision therapy. One of my medical providers told me last week that she did not know that I will ever be able to live independently, drive, or work again.

10. After receiving the shot, I was removed from the running for the Global Teacher Prize because one criterion was the assurance of a minimum of 10 hours a week in the classroom and teaching the following year. That is no longer possible for me.

11. I have been taken out of the career I loved and found purpose in. I have lost public speaking engagements for having to turn them down. I have lost relationships because people don't believe it is possible that an FDA-authorized vaccine (now revoked) could cause verified brain damage and vision damage.

12. As someone with an advanced degree at the intersection of neuroscience and developmental psychology, who wrote and published about human-computer interaction in education and what makes us unique as humans, I can say the disease process due to the vaccine has even stripped away human emotion, unless I am willing to deal with the severity of the equivalent of a new concussion each time I express joy, laughter, sadness, or any other emotion.



13. Whenever I am doing any activity that requires an increase in blood flow to my brain, verified microclotting blocks capillaries and deprives my brain of oxygen, resulting in severe hypoxic symptoms. The damage seen is similar to that after a concussion or stroke. This happens over and over and over and over again.

14. It has been happening to me daily since March 14, 2021.

15. I am not alone. There are, at minimum, thousands like me.

16. The messaging from the government has consistently been that the vaccines are “safe and effective,” and that taking them is the right thing to protect yourself and others. However, for doing the “right thing”—in an attempt to allow me to continue serving my community on the frontlines as a K-12 educator and school leader—I have had everything that I love stripped from me.

17. I upheld every promise I made to my local community and country to protect others. Not one of the promises made to me have been kept, not even the promise of the vaccine preventing infection, or the promise that it was “safe and effective,” or even the representation that it was “approved” as I was injected with an FDA “unapproved product” that was manufactured on the same day as verified contamination at the facility the drug substance was being made.

18. CICIP was supposed to be my first proof that help exists in these circumstances where someone suffers severe adverse events from a vaccine. I believed that I could pave a way for others who didn’t have access to knowledge or how to establish causation. Then I learned that CICIP has no standard and those assigned to review CICIP claims did not have the skills to read and analyze peer-reviewed research with research tests and biomarkers needed to establish proof of causation. When I learned CICIP failed to even follow its own written mandatory requirements, I lost hope in the program.

19. I am joining this call for action now because I have exhausted every possible avenue on my own. I have come to the conclusion that no functioning safeguards exist. While I kept every promise I made, not one promise to me has been kept, and I have suffered losses that can never be made whole.

20. It is a kind of psychological torture to make a brain- and vision-injured person prove the damage that has been inflicted on him or her while suffering from said severe brain injury. It is even worse to require this proof in less than one year, a shorter timeframe than is expected of FDA post-marketing surveillance on the vaccine itself. It is inhumane and unethical to place those demands on the person, one without any risk factors, who was harmed for doing the “right thing.”

21. I was never honestly told about the risks—the risks of neurological adverse events including vision loss, cognitive impairment, loss of independence, loss of vestibular balance, loss of verbal speech (which was particularly relevant to me as a public speaker and teacher)—and that no one would be able to help me, I would be completely on my own, there would be no treatment options, and healthcare insurance will deny coverage for necessary tests and treatments because I received an “unapproved” vaccine that is legally defined as experimental and outside of a clinical trial.

22. In no other time or place or setting would a rational human being find it acceptable to demand that a patient of a new and progressive cancer learn the roles of a sophisticated cancer researcher and a lawyer to interpret the law, establish medical proof that he or she has said new cancer in under a year, all the while battling the cancer, having medical treatments withheld, having healthcare insurance continually deny coverage and demand proof for each round of appeals regarding the denials for medically necessary care. This is inhumane.

23. CICP was supposed to help injured people and those suffering severe adverse events. Instead, CICP has prevented any kind of remedy for people, like me, who were injected with a verified, unsafe product while simultaneously demanding that I establish proof of causation even though that same standard is not required of any agency, authority, or manufacturer. I, as an individual, without any funding or lab, have that burden of proof placed on my shoulders after having my brain function and vision function taken from me.

24. It is now over two years since I filed my CICP claim. My life continues to be on hold until I get enough money to cover the cost of necessary medical treatments.

25. To say that my interactions with CICP to date have been frustrating is an extreme understatement. I have communicated with multiple people at CICP, none of whom have provided adequate answers to my questions or helpful information. My information has been lost and ignored. I get the runaround every time I reach out and ask for a status update or ask questions about the process. The phone calls have been maddening and, quite honestly, a waste of my time and the little cognitive energy I have.

26. Until a change is made, CICP is a mockery of any safeguards. Leaving it in its current state will only serve to reinforce conscientious hesitancy among those who do have scientific knowledge, who do have legal knowledge, and who know people like me who are highly educated and who have been irreparably harmed and left completely uncompensated.

#### VERIFICATION

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Dated: October 30, 2023

  
Michelle Zimmerman (Oct 30, 2023 13:12 PDT)

Michelle Zimmerman, PhD